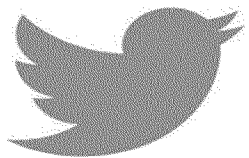


# ***West Lake Landfill CommUnity Meeting April 17, 2014***

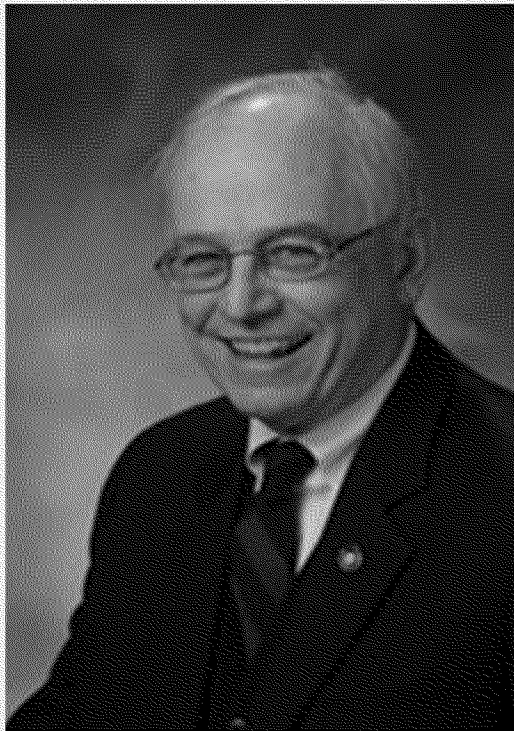
***Thanks to the International Union of Operating Engineers Local 513 for providing free space for these important community meetings.***



***#WestLakeLandfill #BridgetonLandfill***

# Prayer by the Franciscan Sisters of Mary

RIP: Rory Ellinger



RIP: Kathleen Kelly Burkett





# Just Moms STL

**Children Should Grow, Not Glow**



**Westlakemoms@gmail.com**

# Report Odor Alerts

Missouri Department of

## Natural Resources

Jay Nixon, Governor  
Sara Parker Pauley, Director

Programs

Forms and Permits

Publications

Laws and  
Regulations

Online Services

Calendar of Events

### Solid Waste Management Program

#### Bridgeton Sanitary Landfill Facility Information

[Home](#) | [Site Background](#) | [Air Sampling](#) | [Construction Schedule](#) | [Odors](#) | [New Reports](#)  
[Archived Reports](#) | [Subsurface Smoldering Event](#) | [West Lake Landfill](#) | [Overview](#)

Updated Mar. 19, 2014

This page provides citizens with access to pertinent information and online forms regarding ongoing compliance issues and activities related to a subsurface smoldering event and associated odors around Bridgeton Sanitary Landfill at 13570 St. Charles Rock Road in Bridgeton.



#### How Do I Submit Odor Concerns?



To file a concern, please complete our online environmental concern form. Additionally, you may notify the Solid Waste Management Program in any of the following ways to file an odor concern:

- Phone - 800-361-4827 or 573-751-5401 and state you need to file a Bridgeton Landfill odor concern. These phone numbers are available Monday-Friday from 8 a.m. to 5 p.m.
- Fax - 573-526-3902 Attn: Bridgeton Landfill odor concern.
- Email - [swmp@dnr.mo.gov](mailto:swmp@dnr.mo.gov).



**Note:** In case of an emergency, you should contact your local fire protection district using the 911 system.

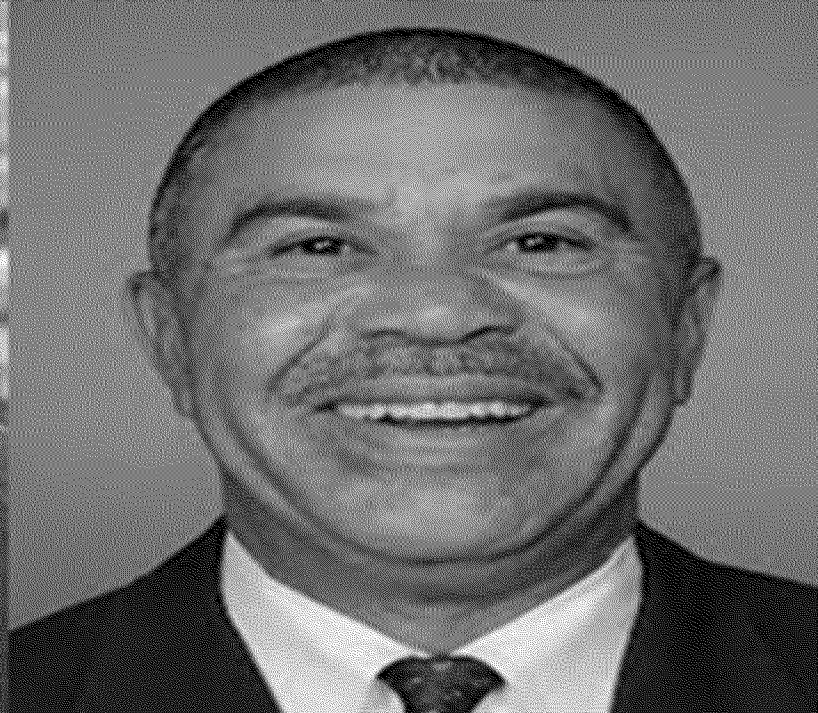
### Program Links

[Program Home Page](#)  
[About our Program](#)  
[Solid Waste Advisory Board](#)  
[Composting](#)  
[Financial Assistance and Information](#)  
[Forms and Permits](#)  
[Illegal Dumping](#)  
[Laws and Regulations](#)  
[Permitted Facilities](#)  
[Publications and Reports](#)  
[Reduce, Reuse and Recycle](#)  
[Solid Waste Management Districts](#)  
[Tires](#)  
[FAI IPD and Tonnage Reports](#)  
[Training Opportunities](#)

### Contact

**Solid Waste Management Program**  
P.O. Box 176  
Jefferson City, MO 65102  
800-361-4827  
573-751-5401  
Email: [swmp@dnr.mo.gov](mailto:swmp@dnr.mo.gov)

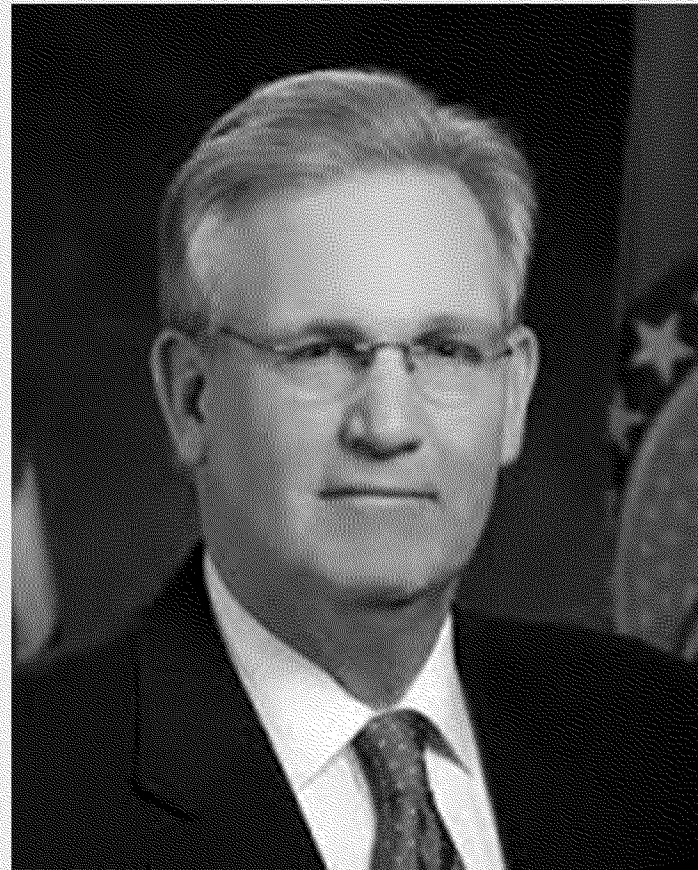




# Sign-On Letter to Federally Elected Officials -> FUSRAP NOW

- St. Louis Corps of Engineers FUSRAP > EPA Region 7
- Urgent: FUSRAP can only make independent decisions on science & safety if West Lake is transferred before EPA ROD amendment
- Broad community support for St. Louis Corps of Engineers FUSRAP





# State of MO Sign-On Letter: March 2013

The below request was sent to:

- **Attorney General Koster**
- **Governor Nixon**
- **Missouri Department of Natural Resources**

We are equally concerned with the smoldering landfill fire and its impact on our quality of life and health. A disturbing trend has started where landfill odors become worse on the weekend than during the week. As a community we ask that:

1. A comprehensive air monitoring test be conducted 24/7 for no less than seven consecutive days.
2. The Department of Natural Resources (DNR) make landfill fire expert Todd Thalhamer available for a meeting to update the community and answer questions regarding the smoldering landfill fire as soon as reasonably possible. The next West Lake Landfill community meeting is scheduled for April 17, 2014. The DNR and Todd Thalhamer are invited to give an update on the smoldering landfill fire.



# Sign-On Letter to EPA Region 7: Administrator Brooks

- Remove EMSI, the financially responsible parties contractor, from any part of the decision making and science gathering at the West Lake Landfill
- EMSI authored flawed fire report putting peoples lives in danger

# Sign-On Letter to Gov. Nixon & AG Koster

- Publicly support St. Louis Army Corps of Engineers FUSRAP takeover of West Lake
- Comprehensive air testing needed
  - 7 consecutive days, 24/7
  - Include alpha & beta testing
- Allow DNR and/or Todd Thalhamer to update community on smoldering fire at next community meeting May 15, 2014.



# Alpha & Beta Air Monitoring?

EPA Region 7 – April 4, 2014

An intensive sampling and monitoring program around this NPL site by the State of Missouri includes daily gamma samples as well as samples for

alpha and beta emissions  
alpha and beta emissions  
alpha and beta emissions  
alpha and beta emissions  
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alpha and beta emissions  
alpha and beta emissions

MO DNR – April 9, 2014

DNR has not been sampling alpha and beta daily, just the daily gamma analysis that you are familiar with that we post on-line.

# MO DNR Offsite Radioactive Testing



## West Lake Landfill

Radiological Survey

May 16, 2013

Hazardous Waste Program  
Federal Facilities Section  
May 2013



**MISSOURI**  
DEPARTMENT OF  
NATURAL RESOURCES

**Conclusion:** Measurements collected from the downwind location were consistent with measurements collected at the upwind, or background, locations. These observations are consistent with EER AreaRAE data and DHSS's assessment of their previously collected radiological data. They are also consistent with background readings collected using the same equipment in the St Louis area. As stated in the previous section, readings varied based on surface type. The readings from the downwind locations, 8A and 8B, were approximately two-fold different, being pavement vs. grass.



# Community Monitoring Equipment



# Offsite Testing

## Why

- EPA Region 7 inaction
- Community concerns

## When

- Moving forward with tests now
- Data must be verified to be credible before release

## Where

- Near the West Lake Landfill



# Financially Responsible Parties Flawed Fire Report

## **Evaluation of Possible Impacts of a Potential Subsurface Smoldering Event on the Record of Decision – Selected Remedy for Operable Unit-1 at the West Lake Landfill**

### **Prepared for**

The United States Environmental Protection Agency Region VII

### **Prepared on behalf of**

The West Lake Landfill OU-1 Respondents

### **Prepared by**

Engineering Management Support, Inc.  
7220 West Jefferson Avenue, Suite 406  
Lakewood, Colorado 80235

January 14, 2014

The Coalition to Keep Us Safe believes the only solution that best protects the health and safety of Missourians, workers, and our communities is the EPA's proposed remediation plan from 2008. By enclosing the low-level radioactive material at the West Lake Landfill site beneath five feet of engineered capping materials, we can ensure the safe remediation of the affected areas and continue to protect the health and well-being of our citizens, communities, and the environment.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

**OCT 29 2013**

Mr. Ed Smith  
Missouri Coalition for the Environment  
6267 Delmar Boulevard, Suite 2E  
St. Louis, Missouri 63130

Question 1: Did EPA Region 7 consider a landfill fire a threat to the radioactive wastes in OU-1 of the West Lake Landfill Superfund Site before issuing a Record of Decision in 2008? Please specify where landfill fires are addressed if they were considered.

Response: No. No landfill fires or subsurface oxidation events were identified during the remedial investigation, feasibility study or proposed plan phases of work on OU-1.



# EPA Office of Research & Development

**EMSI Executive Summary Bullet Point #4: An SSE in West Lake Area 1 or 2 would create no long-term additional risks to people or the environment.**

ETSC Observations: We do not support the conclusion that no additional long term risks would be created in the event of a SSE at OU-1. There are at least two risk pathways that could exist from a SSE. The first is through increased air exposures to contaminants such as radon. As airborne concentrations of radon increase, so would the risk to people. The second pathway is increased leachate production that could move contaminants and dissolved radon gas from OU-1 into the groundwater. Sampling would be needed to monitor whether either of these two exposure pathways becomes an issue.

**EMSI Executive Summary Bullet Point #5: Any short-term risks would be associated with the temporary increase in radon gas coming from the surface of the landfill if no cap is installed on the landfill, or if the cap called for by the 2008 ROD was not properly maintained.**

ETSC Observations: Short-term effects of a SSE could also include greater amounts of leachate production, which has been observed at the Bridgeton Landfill from condensation of large amounts of steam. A SSE may result in increased emissions of radon and other contaminants in the air and groundwater, even with annual inspections and proper maintenance of designs discussed in the 2008 ROD and 2011 SFS.

# Continued

**EMSI Executive Summary Bullet Point #2:** An SSE does not create conditions that could carry RIM particles or dust off the site. The heat of an SSE is not high enough to ignite non-RIM wastes or chemical compounds or to cause them to explode.

ETSC Observations: The temperatures in the SSE at the Bridgeton Landfill are consistent with levels corresponding to pyrolysis<sup>a</sup>. If a SSE in OU-1 could reach similar temperatures, we would not expect the non-RIM material to ignite. However, using the higher temperatures observed in the Bridgeton Landfill as a worse-case scenario, these temperatures may cause the structural integrity of the cap called for in the 2008 ROD to be adversely affected. This could potentially include surface cracks and fissures in the cap extending down into the waste material, and potentially cause permeation of the cover used. Surface cracks and fissures may allow gases (such as radon and steam) to escape, and potentially create conditions that could allow fine particulates to escape from the landfill. Since we do not have a full accounting of the material in OU-1, we cannot make a definitive assessment regarding the potential for chemical reactions between the RIM and non-RIM materials if an SSE were to occur. If these reactions were to occur, they could cause a rapid buildup of heat or gas, and subsequent reactions or reactive conditions in the landfill.



# Isolation Barrier & EPA Region 7

- “preliminary isolation barrier design and location proposals from the PRPs . . . neither meet the goal to separate all of the RIM from the Bridgeton Landfill SSE nor present a feasible proven design that can be expeditiously completed”
- Recommend a barrier similar to the one used at Republic Services smoldering Countywide Landfill in Ohio.
- EPA expects a new work plan promptly
- [http://www.epa.gov/region7/cleanup/west\\_lake\\_landfill/pdf/rissman-letter-04-04-14.pdf](http://www.epa.gov/region7/cleanup/west_lake_landfill/pdf/rissman-letter-04-04-14.pdf)

# Continued

- Survey work has progressed enough for pre-construction activities.
- Activities to be laid out in forthcoming Order from EPA Region 7 shortly after May 1, 2014, including:
  - Bird mitigation efforts
  - Air monitoring system
  - Schedule for completing final phase of identifying RIM and isolation barrier location

# Continued

- Isolation barrier work plans must include
  - Clear plan to manage excavated materials
  - Assure excavated wastes are free of RIM
- Interagency agreement with Army Corps of Engineers should be concluded soon.
- Final work plan will include Corps oversight.
- We don't know if EPA will work with St. Louis Army Corps FUSRAP or KC Corps.



# Current Financially Responsible Parties at West Lake Landfill

- U.S. Department of Energy
- General Atomics
  - Cotter Corporation (subsidiary)
- Republic Services
  - Rock Road Industries LLC (subsidiary)
  - Bridgeton Landfill LLC (Subsidiary)

# Senate Bill 731: The Senator Kurt Schaefer Amendment

<b>SB 731</b>	Modifies provisions relating to nuisance ordinances and actions
3/25/2014	SA 4 to SCS S offered & adopted (Schaefer)--(5065S02.04S)
3/25/2014	SA 5 to SCS S offered & adopted (Nasheed)--(5065S02.08S)

“Actions are prohibited from being brought against a property owner who is in good faith compliance with an order issued by the Department of Natural Resources, Environmental Protection Agency, or the Attorney General’s Office.”

# Conflict



MISSOURI STATE SENATOR

## KURT SCHAEFER

DISTRICT 19 • REPUBLICAN

LEGISLATION

BIOGRAPHY

CONSTITUENT SERVICES

MEDIA

### NEWS FROM SENATOR SCHAEFER

#### Sen. Kurt Schaefer's Column for the Week of April 14, 2014

Apr 17, 2014 2:50:06 PM

With only four full weeks remaining in the legislative session, the Missouri Senate has been busy debating budgetary issues and bills before the May 16 adjournment.

### COUNTIES REPRESENTED:

Boone and Cooper  
[View District Map](#)

### LEGISLATIVE SERVICE:

Elected to the Senate:  
2008, 2012

### SIGN UP FOR E-NEWS

#### CAPITOL OFFICE:

201 W Capitol Ave., Rm. 221  
Jefferson City, Missouri 65101  
(573) 751-3931  
FAX: (573) 751-4320  
[Email Senator Schaefer](#)

**Note:** Due to the large volume of e-mails that I receive, I am able to answer only constituent messages from District 19 residents, serving Boone and Cooper counties. Legislator courtesy dictates that State Senators be given the opportunity to assist their own constituents. If you are a resident of another county, I encourage you to locate your State Senator by clicking [here](#).

#### COMMITTEE MEMBERSHIP:

Appropriations, Chairman  
Commerce, Consumer Protection, Energy and the Environment  
Judiciary & Civil & Criminal Jurisprudence  
Joint Committee on Child Abuse and Neglect  
Joint Committee on Education  
Joint Committee on Capital Improvements and Leases Oversight  
Joint Legislative Committee on Court Automation  
Joint Committee on Government Accountability  
Joint Committee on Legislative Research  
Joint Committee on MO Healthnet  
Joint Committee on Solid Waste Management District Operations  
Missouri Film Commission  
Missouri Sentencing Advisory Commission



**Of**

# LATHROP & GAGE<sub>LLP</sub>

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## Kurt U. Schaefer

Partner - Email

vCard

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Mr. Schaefer is a partner of the firm. His practice focuses on litigation, environmental, health care, administrative, business and public utilities. He is a State Senator for the 19th Senate district and Chairman of the Senate Appropriations Committee.

Mr. Schaefer formerly served as Assistant Missouri Attorney General, Special Assistant US Attorney, General Counsel and Deputy Director of the Missouri Department of Natural Resources, Special Counsel to the Governor and Special Counsel to the Missouri Department of Agriculture.

As General Counsel and Deputy Director at DNR, Mr. Schaefer was responsible for all legal aspects of the State's Environmental Regulatory and Enforcement Agency, which also owns and manages the State's 83 state parks and historic sites, including litigation management, environmental, administrative, employment, personal injury, Sunshine Law and open records/meetings, contracts, property and land acquisition, criminal and constitutional law.

Jefferson City  
314 E. High Street  
Jefferson City, MO 65101

Columbia  
3610 Buttonwood Drive  
Suite 200  
Columbia, MO 65201

# Interest



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

APR 04 2014

OFFICE OF THE  
REGIONAL ADMINISTRATOR

Mr. Michael P. Rissman  
Republic Services, Inc.  
18500 North Allied Way  
Phoenix, AZ 85054

Dear Mr. Rissman:

Sincerely,

A handwritten signature in black ink, appearing to read "Karl Brooks".

Karl Brooks

cc: William Beck, Esq., Lathrop and Gage LLP, Kansas City, MO  
Jessica Merrigan, Esq., Lathrop and Gage LLP, Kansas City, MO  
The Honorable Chris Koster, Missouri Attorney General's Office, Jefferson City, MO  
Sara Parker Pauley, Director, Missouri Department of Natural Resources, Jefferson City, MO

# Sign Letter to Federally Elected Officials

- Transfer to FUSRAP now, please!



# Sign Letter to Governor Nixon and Attorney General Koster

- Support St. Louis Army Corps of Engineers FUSRAP takeover of the West Lake Landfill
- Allow MO DNR and independent landfill fire expert Todd Thalhamer to attend the next community meeting to talk about the smoldering fire with time to answer questions
- Complete a 24/7 comprehensive air monitoring test for no less than 7 consecutive days

# Upcoming Events

- April 21, 6:30pm: CAG meeting where EPA Region 7 will be available for questions and comments at IUOE Local 513.
- April 23, 10am: Prayer Vigil, North Side of Landfill, St. Charles Rock Road, FSM at former Phillips 66 gas station
- May 15, 6:30pm: CommUnity Meeting at IUOE Local 513.

# Q & A

Thanks for coming



